



# GENERAL ASSEMBLY OF THE STATE OF TENNESSEE FISCAL REVIEW COMMITTEE

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615-741-2564

**Rep. Ron Travis, Chairman**  
**Representatives**

Bill Beck	Pat Marsh
Michael Curcio	Larry Miller
Martin Daniel	Bill Sanderson
Darren Jernigan	Mark White
Susan Lynn, <i>ex officio</i>	
Speaker Glen Casada, <i>ex officio</i>	

**Sen. Todd Gardenhire, Vice-Chairman**  
**Senators**

Paul Bailey	Steve Southerland
Brenda Gilmore	Ken Yager
Sara Kyle	
Bo Watson, <i>ex officio</i>	
Lt. Governor Randy McNally, <i>ex officio</i>	


## MEMORANDUM

TO: The Honorable Lieutenant Governor Randy McNally  
Speaker of the Senate

The Honorable Glen Casada  
Speaker of the House of Representatives

Members of the General Assembly

General Assembly Staff

FROM: Krista Lee Carsner, Executive Director   
Fiscal Review Committee Staff

DATE: February 4, 2019

SUBJECT: **Fiscal note and fiscal memorandum appeal process as adopted by the Fiscal Review Committee**

On November 28, 2018, the Fiscal Review Committee adopted a fiscal note and fiscal memorandum appeal process. This process began with the 111<sup>th</sup> General Assembly and will remain in effect until altered or rescinded by the Fiscal Review Committee. The appeal process and instructions on submitting the appeal documentation are attached. If you have any questions, please contact me at [krista.lee.carsner@capitol.tn.gov](mailto:krista.lee.carsner@capitol.tn.gov) or 615-532-9941.

Attachment

## **Official Fiscal Note and Fiscal Memorandum Appeal Process**

- A. After issuance of the fiscal note, the following individuals are encouraged to contact the Fiscal Review Committee staff to discuss the fiscal note and provide additional information or insights when necessary:
  - 1. Legislative members,
  - 2. Legislative staff,
  - 3. State department/agency representatives,
  - 4. Local government representatives,
  - 5. Lobbyists, and
  - 6. Any other stakeholders.
  
- B. Fiscal Review Committee staff (i.e. fiscal analyst, review analyst, assistant director, and executive director) discuss the request/conversation/information and determine if the additional information justifies any of the following:
  - 1. Follow-up with other entities to clarify positions or information;
  - 2. Additional research from outside sources;
  - 3. A correction of an incorrect calculation or interpretation by Fiscal Review Committee staff;
  - 4. Work with the legislator to amend the legislation to lead to an adjusted fiscal analysis or to better meet the original intent of the legislation; or
  - 5. Follow-up with the interested party initiating the discussion and review to ensure the party of the due diligence to confirm the fiscal note is currently in the best posture with the information available.
  
- C. Should there still be a concern, the prime sponsor of the proposed legislation may submit an appeal form to the executive director. The appeal form shall include the following information, or any other information, as approved and required by the Fiscal Review Committee:
  - 1. Specifically, the inaccuracies of the fiscal note;
  - 2. Specific supporting information including research or data to support the member's position;
  - 3. The sources of such information; and
  - 4. The date submitted and the signature of the member.
  
- D. Following the submission of the appeal document:
  - 1. The executive director will notify the Fiscal Review Committee chairman or vice-chairman of the appeal. The notification will be submitted to the chairman or vice-chairman based on the house in which the submitting member serves. After such notification, the Chairman or Vice-Chairman shall cause one of the following to occur within seven (7) calendar days:
    - a. The executive director, the assistant director, and/or the fiscal analyst(s) shall meet with the appealing member to work through the issue; or
    - b. The Chairman or Vice-Chairman shall facilitate a meeting with the appealing member and the executive director.
  
- E. Each member is allowed one appeal per bill (including any amendments) as determined by the Fiscal Review Committee.

## **Submission of a Fiscal Note and Fiscal Memorandum Appeal:**

The Fiscal Review Appeal form is located on the Legislature Intranet.

### **Navigation:**

Intranet – Fiscal Review - *Fiscal Note/Fiscal Memorandum Appeal Form* link

### **Instructions:**

1. Click the link
2. Enter information: If e-mail entered then a copy of the form and any attached documents will be delivered to the requester.
3. Attach Files: PDF, Word, Excel
4. Submit: Will send an e-mail to you.
5. After Submission: Option to submit another Appeal Form is displayed for the requester.